

# Exhibit 2

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

~~~~~

SHAUNA WILLIAMS, et al.,

Plaintiffs,

vs.

Case No. 23-CV-1057

REPRESENTATIVE DESTIN

HALL, etc., et al.,

Case No. 23-CV-1104

Defendants.

~~~~~

NORTH CAROLINA STATE

CONFERENCE OF THE NAACP, et al.,

Plaintiffs,

PHILIP BERGER, etc., et al.,

Defendants.

~~~~~

The Remote Deposition of

DEBORAH D. MAXWELL

October 25, 2024

9:30 a.m.

Cynthia Sullivan, RPR

1 APPEARANCES:

2  
3 On behalf of the Plaintiffs:

4 Southern Coalition for Social

5 Justice, by

6 HILARY HARRIS KLEIN, ESQ.

7 1415 West Highway 54

8 Durham, North Carolina 27707

9 hilaryhklein@scsj.org

10  
11 On behalf of the Defendants:

12 Baker & Hostetler, by

13 ERIKA PROUTY, ESQ.

14 200 Civic Center Drive

15 Suite 1200

16 Columbus, Ohio 43215

17 eprouty@bakerlaw.com

18 and

19 Nelson Mullins Riley &

20 Scarborough, by

21 CASSIE A. HOLT, ESQ.

22 301 Hillsborough Street

23 Suite 1400

24 Raleigh, North Carolina 27612

25 cassie.holt@nelsonmullins.com

TRANSCRIPT INDEX

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

|                                     |     |
|-------------------------------------|-----|
| APPEARANCES.....                    | 2   |
| INDEX OF EXHIBITS .....             | 4   |
| EXAMINATION OF DEBORAH D. MAXWELL:  |     |
| By Ms. Prouty.....                  | 5   |
| REPORTER'S CERTIFICATE.....         | 151 |
| EXHIBIT CUSTODY                     |     |
| EXHIBITS RETAINED BY COURT REPORTER |     |

## INDEX OF EXHIBITS

| NUMBER    | DESCRIPTION                                      | PAGE |
|-----------|--------------------------------------------------|------|
| Exhibit 1 | The Amended Notice of .....<br>Deposition        | 9    |
| Exhibit 2 | Complaint No. 23 CV 1104.....                    | 29   |
| Exhibit 3 | NAACP Plaintiffs' Discovery ..<br>Responses      | 34   |
| Exhibit 4 | A Document Labeled Maxwell ...<br>Declaration    | 38   |
| Exhibit 5 | A Document Entitled Join the .<br>NAACP          | 55   |
| Exhibit 6 | A Document Bates Labeled .....<br>NAACPPS_000548 | 137  |
|           | AFTERNOON SESSION.....                           | 96   |

1 THE NOTARY: May I have a  
2 stipulation that I may swear in the witness  
3 remotely?

4 MS. KLEIN: NAACP plaintiffs agree  
5 to that. 09:29:41

6 MS. PROUTY: Legislative defendants  
7 also agree to that.

8 DEBORAH D. MAXWELL, of lawful age, called  
9 for examination, as provided by the Federal  
10 Rules of Civil Procedure, being by me first  
11 duly sworn, as hereinafter certified, deposed  
12 and said as follows:

13 EXAMINATION OF DEBORAH D. MAXWELL  
14 BY MS. PROUTY:

15 Q. Good morning. My name is Erika 09:30:03  
16 Prouty. I'm an attorney for the legislative  
17 defendants in this case. Thank you for being  
18 here today. Could you please state your full  
19 name for the record.

20 A. My name is Deborah Maxwell. 09:30:13

21 Q. May I call you President Maxwell?

22 A. That is fine.

23 Q. Just to confirm, all parties have  
24 stipulated to the remote administration of your  
25 oath and the taking of this deposition. 09:30:31

1 MS. KLEIN: Objection. Go ahead.

2 A. Yes.

3 Q. How did you obtain that  
4 authorization?

5 A. By the impacted areas, you can look 11:38:36  
6 at the map, correct, and see where the branches  
7 are and the individuals.

8 Q. Did you talk to members and ask  
9 them if you could file this lawsuit on their  
10 behalf? 11:39:06

11 MS. KLEIN: Objection. Go ahead.

12 A. We have members who are in each  
13 impacted area who have agreed that we have the  
14 named plaintiffs, adults, who are not within  
15 those areas that this lawsuit is about. 11:39:33

16 Q. President Maxwell, my question was  
17 a little different. Did you talk to those  
18 members and ask them if you could file this  
19 lawsuit on their behalf?

20 MS. KLEIN: Objection. Go ahead. 11:39:47

21 A. Yes.

22 Q. Okay. When did those conversations  
23 take place?

24 A. I cannot be specific, I'm sorry,  
25 but it is over a span of time because it is 11:40:07

1 over the span of the state except for the west.

2 I wonder why.

3 Q. Is it your testimony that it was  
4 before December 19th, 2023?

5 A. It was done. I cannot give you a 11:40:29  
6 specific time.

7 Q. Who spoke to these members?

8 A. Myself and assisted by my first  
9 vice president.

10 Q. Who is the first vice president? 11:41:05

11 A. Courtney Patterson.

12 Q. Did you say -- I'm sorry. Could  
13 you repeat that name?

14 A. Courtney.

15 Q. Courtney Patterson? 11:41:18

16 MS. KLEIN: I'll just state the  
17 First Amendment objection, although I  
18 understand that Mr. Patterson is publicly  
19 disclosed in that position. So you can go  
20 ahead. 11:41:30

21 Q. How many members did you and  
22 Mr. Patterson speak to to seek their  
23 authorization to file this lawsuit on their  
24 behalf?

25 A. I cannot give you a specific 11:41:37



1 number.

2 Q. Was it more than five?

3 A. Definitely.

4 Q. Was it more than ten?

5 A. Yes. 11:41:46

6 Q. Was it more than 20?

7 A. I did not do a count.

8 Q. How many members did you personally  
9 speak to before filing this lawsuit?

10 A. I cannot give a specific number. 11:42:05

11 Q. Why is that?

12 A. I didn't check, you know, and do a  
13 head count of that nature.

14 Q. Did you keep any records of these  
15 conversations? 11:42:34

16 A. I don't have that privileged  
17 information because I am working with  
18 individuals who need to be protected because  
19 within the state we have had crosses burned,  
20 death threats, death calls for speaking out 11:43:15  
21 even when one should speak out.

22 Q. President Maxwell, I want to just  
23 focus you on what I'm asking. I'm asking prior  
24 to filing this lawsuit in December of 2023,  
25 it's your testimony that you talked to an 11:43:35

1 unspecified number of members to seek their  
2 authorization to bring this case on their  
3 behalf. I'm asking do you have records of the  
4 people that you talked to?

5 MS. KLEIN: Objection. You can go 11:44:01  
6 ahead.

7 A. It is hard to specifically answer  
8 you because at the same time we were going  
9 through another voting case, so I think our  
10 interests merged, so I don't want to conflict 11:44:20  
11 one with the other.

12 Q. What was that other case?

13 A. We had the voter ID trial that was  
14 May of 2024 in Winston-Salem. We had another  
15 case that was turned back, and so it is a 11:44:41  
16 combination of those things.

17 Q. For either of those cases, were you  
18 identifying members who lived in specific areas  
19 of the state?

20 A. Was I? They are all melded, gelled 11:44:59  
21 together.

22 Q. But sitting here today you can't  
23 tell me whether you have any records of the  
24 conversations you had prior to filing this  
25 lawsuit with the members whose standing you're 11:45:25

1     asserting in this case; is that right?

2           A.     I'm under oath, and I do not want  
3     to say anything that is incorrect, so right now  
4     I cannot correctly ascertain to make sure.

5           Q.     I just want to be clear, the reason     11:45:53  
6     that you cannot answer the question is because  
7     you don't remember; is that right?

8           A.     Who did I speak to for what? I  
9     would have to be clear because I do not want to  
10    say I did it for that when I did it for this.     11:46:10

11          Q.     Okay. And is it your understanding  
12    that you did this process of identifying  
13    members in specific areas of the state for  
14    those other cases?

15          A.     Could you repeat that?     11:46:25

16          Q.     Yeah. Is it your understanding  
17    that you did this identification of members  
18    living in specific areas of the state for those  
19    other cases?

20          A.     Could you rephrase that?     11:46:50

21          Q.     In those other cases, and let's  
22    start with the voter ID case, did you identify  
23    members throughout certain areas of North  
24    Carolina for purposes of the North Carolina  
25    NAACP's claims in that case?     11:47:16

REPORTER'S CERTIFICATE

The State of Ohio, )

SS:

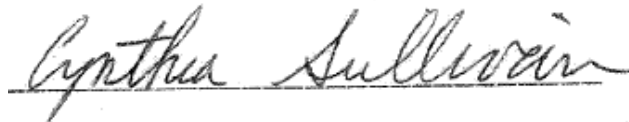
County of Cuyahoga. )

I, Cynthia Sullivan, a Notary Public within and for the State of Ohio, duly commissioned and qualified, do hereby certify that the within named witness, DEBORAH D. MAXWELL, was by me first duly sworn to testify the truth, the whole truth and nothing but the truth in the cause aforesaid; that the testimony then given by the above-referenced witness was by me reduced to stenotypy in the presence of said witness; afterwards transcribed, and that the foregoing is a true and correct transcription of the testimony so given by the above-referenced witness.

I do further certify that this deposition was taken at the time and place in the foregoing caption specified and was completed without adjournment.

1 I do further certify that I am not  
2 a relative, counsel or attorney for either  
3 party, or otherwise interested in the event of  
4 this action.

5 IN WITNESS WHEREOF, I have hereunto  
6 set my hand and affixed my seal of office at  
7 Cleveland, Ohio, on this 28th day of  
8 October, 2024.

9  
10  
11  
12   
13

14 Cynthia Sullivan, Notary Public  
15 within and for the State of Ohio  
16

17 My commission expires October 17, 2026.  
18  
19  
20  
21  
22  
23  
24  
25